

1 JOHN L. WHEELER
2 GLORIA A. WHEELER
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4 Oakland, CA 94603
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FILED

06 JUL 10 PM 1:11

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Plaintiffs In Propria Persona

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

11 JOHN L. WHEELER, GLORIA A.
12 WHEELER,

13 Plaintiffs,

14 vs.

15 BANK OF AMERICA, N.T. & S.A. a
16 California corporation, and
17 LIBERTY REVERSE MORTGAGE and
18 SEATTLE FINANCIAL GROUP, and
19 DOES 1-10, inclusive,

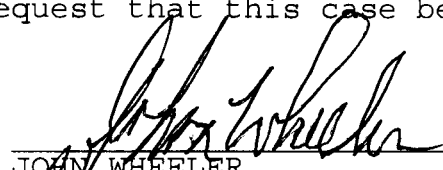
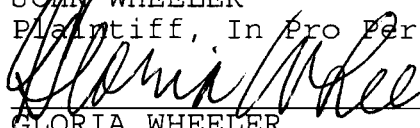
20 Defendants.

No. C08-03230 JL

DECLINATION TO PROCEED BEFORE
A MAGISTRATE JUDGE
AND
REQUEST TO RETURN CASE TO
SUPERIOR COURT

21 The undersigned parties hereby decline to consent to the
22 assignment of this case to a United States Magistrate Judge for
23 trial and disposition and hereby request that this case be
24 reassigned to Superior Court.

25 Dated: July 9, 2008

26 
JOHN WHEELER
27 Plaintiff, In Pro Per
28 
GLORIA WHEELER
Plaintiff In Pro Per

PROOF OF SERVICE

The undersigned states:

I am a citizen of the United States and I am employed in the County of Alameda, State of California; I am over the age of 18 years and not a party to the within action; my business address is 405 14th Street, Suite 217, Oakland, California.

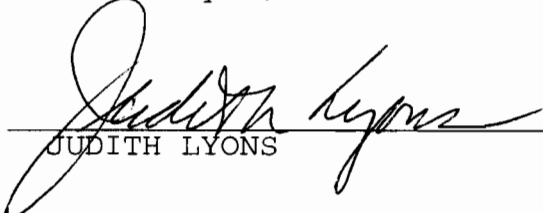
On the date shown below, I served a true copy of:

DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND
REQUEST TO RETURN CASE TO SUPERIOR COURT

on the interested parties shown below in said action, by placing a true copy thereof enclosed in a sealed envelope, with first class postage fully prepaid thereon, in the United States mail at Oakland, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed at Oakland, California on July 9, 2008.


JUDITH LYONS

Debra S. Belaga
Aaron M. Rofkahr
O'Melveny & Myers LLP
Embarcadero Center West
275 Battery Street
San Francisco, CA 94111-3305